

ESTTA Tracking number: **ESTTA731189**

Filing date: **03/03/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	86485295
Applicant	Twitch Interactive, Inc.

## Notice of Appeal

Notice is hereby given that Twitch Interactive, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 86485295.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 009. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Computer software for broadcasting, transmitting, receiving, accessing, viewing, uploading, downloading, sharing, integrating, encoding, decoding, displaying, formatting, organizing, storing, caching, transferring and streaming of data, text, games, game content, digital media, images, music, audio, video, movies and animations; application programming interface (API) software for broadcasting, transmitting, receiving, accessing, viewing, uploading, downloading, sharing, integrating, encoding, decoding, displaying, formatting, organizing, storing, caching, transferring and streaming of data, text, games, game content, digital media, images, music, audio, video, movies and animations; computer software for electronic mail, messaging, chat and social networking; computer software for creating, displaying and sharing emoticons; software for purchasing and subscribing todigital media content; computer software development tools; software for developing and publishing applications for interactive streaming; software developmentkits (SDK's) for developing software for broadcasting, transmitting, receiving,accessing, viewing, uploading, downloading, sharing, integrating, encoding, decoding, displaying, formatting, organizing, storing, caching, transferring and streaming of data, text, games, game content, digital media, images, music, audio,video, movies and animations; software that enables users to designate specificcontent for future viewing; software for television (TV) programming; electronic game, music and movie streaming devices; computer hardware; computer hardware with specialized features for enhanced game playing; game consoles and controllers; game software; computer game software; electronic game software; video game software; computer software for management and storage of digital media; character and voice recognition software; computer software for creating, placing, transmitting and measuring the effectivenessof advertisements; computer software for accessing, browsing and searching online databases; software for filtering internet searches; software, namely, parental control software for use in restricting access to online videos and games; audio recordings featuring music; video recordings featuring sports, e-sports, games, video games, video game playing, video game players, video game competitions, action, adventure, animation, art, biography, children's programming, comedy, crime, drama, family, fantasy, film-noir, history, horror, martial arts, music, mystery, religion, romance, science fiction, suspense, technology, thrillers, war, westerns and young adult programming;downloadable music files; downloadable movies and documentaries in the fields of sports, e-sports, games, video games, video game playing, video game players and video game competitions; downloadablemovies in the fields of action, adventure, animation, art, biography, children's programming, comedy, crime, drama, family, fantasy, film-noir, history, horror, martial arts, music, mystery, religion, romance, science fiction, suspense, technology, thrillers, war, westerns and young adult programming; electronic publications featuring books, magazines, newspapers, periodicals, newsletters, journals and manuals featuring e-sports, videogaming, video games and video game players recorded on computer media; softwarethat allows gamers to live broadcast their games from a gaming console, or to watch games being played by others
- Class 035. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Advertising and marketing; promoting the goods and services of others; retail store services featuring books and magazines; online retail store services featuring books and magazines; retail store services featuring clothing; retail store services featuring gaming videos, gaminghardware and game software; retail store services featuring downloadable audio,video, multimedia, emoticons, badges, images and chat colors; retail store services featuring virtual goods and

merchandise for use by members of an online community in connection with a designated website featuring streaming video games and related content; retail store services featuring enhancements and components for computer game software and video games; retail store services featuring consumer electronics, computer and communications hardware, software and electronic publications; promotional sponsorship of games, gamers, and gaming events; arranging sponsorships for others; administration and coordination of team leagues in the field of video gaming; administration and coordination of recreational opportunities for individuals who wish to participate in team leagues; providing a searchable website, portal, forum, application, and database where advertisers, marketers, and content providers can reach, engage, and interact with online users for the purposes of promotion or advertising; promoting the goods and services of others through placing advertising in conjunction with gaming; design of advertisements and advertising material for others

- Class 041. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: Entertainment services, namely, providing on-line games; entertainment services, namely, providing online videos featuring games being played by others; entertainment services, namely, live performances by musical groups; entertainment services, namely, live performances by videogame players; entertainment services, namely, providing a web site where users can access and view gaming-related information, music, videos, movies and animation; providing information and news relating to gaming and music; blogs featuring articles on gaming and gaming-related activities; arranging and conducting competitions for video game players; entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all via a global computer network; providing online non-downloadable videos featuring music; live music concerts; music production and publishing; entertainment services, namely, organizing and producing gaming and music events; organizing, conducting and operating video game tournaments; organizing video gaming leagues; organization of gaming competitions, namely organizing electronic, computer and video game competitions; providing online news, information and commentary in the fields of e-sports, video gaming, video games and video game players; entertainment services, namely, providing on-line video games via social networks; providing enhancements within online video games, namely enhanced levels of game play; publishing of game software; entertainment services, namely, providing virtual environments in which users can interact through social games for recreational purposes; entertainment services, namely, providing virtual environments in which users can interact for recreational, leisure, or entertainment purposes; organizing educational and entertainment conferences for software developers in the field of software development and gaming. organizing conferences in the field of gaming, video gaming and digital content; education and training services in the field of software development; publishing of books, electronic books, magazines, periodicals, literary works, visual works, audio works, and audiovisual works; publishing of online works of others featuring user-generated text, audio, video, and graphics; providing online publications in the nature of books, magazines, periodicals, journals, blogs and articles in the field of e-sports, video gaming, videogames and video game players; entertainment services, namely, providing online non-downloadable music tailored to viewer's programming preferences; arranging of contests and sweepstakes; entertainment services, namely, providing non-downloadable movies and documentaries; providing information, news and commentary in the field of gaming and entertainment; entertainment services, namely, providing online, non-downloadable virtual clothing, colors, badges, tools and weapons for use in virtual environments created for entertainment purposes; providing an online website portal for consumers to play on-line computer games and electronic games and share game enhancements and game strategies; providing educational training, namely, on-line tutorials in the field of video gaming and video games; providing an Internet website portal featuring content in the field of video games and video game players

- Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: Storage of electronic media, namely, images, text, video, and audio data; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for broadcasting, transmitting, receiving, accessing, viewing, uploading, downloading, sharing, integrating, encoding, decoding, displaying, formatting, organizing, storing, caching, transferring and streaming of data, text, games, game content, digital media, images, music, audio, video and animations; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for electronic mail, messaging, chat and social networking; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for creating, displaying and sharing emoticons; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for purchasing and subscribing to digital media content; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for software development; software

as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for developing and publishing applications for interactive streaming; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software to enable users to designate specific content for future viewing; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for television (TV) programming; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for management and storage of digital media; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for character and voice recognition; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for creating, placing, transmitting and measuring the effectiveness of advertisements; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for accessing, browsing and searching online databases; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for filtering internet searches; software as a service services (SAAS), and providing temporary use of online non-downloadable software featuring software for parental control enabling access to games, including electronic, computer and video games; computer software consulting services in the field of gaming technology and graphics software; computer programming services; providing temporary use of non-downloadable computer software for enhancing computer performance, for operation of integrated circuits, semiconductors, computer chipsets and micro-processors, and for gaming purposes; providing temporary use of non-downloadable computer software for computer graphics; providing temporary use of non-downloadable game software; platform as a service (PAAS) featuring computer software platforms for gaming and graphic design; providing virtual computer systems and virtual computer environments through cloud computing; providing cloud computing services; computer services, namely, cloud hosting provider services; providing virtual computer systems, graphics processing units (GPUs), and virtual computer environments through cloud computing; design and development of computer hardware, software and peripherals for others; Application service provider (ASP), namely, hosting computer software applications of others; hosting of third party digital content in the nature of photos, videos, audio, music, text, data, images, software, applications, games, web sites and other electronic works on the Internet; hosting of digital content on the Internet; computer hardware, software, application, and network consulting services; digital and electronic file data transfer from one computer format to another; provision of Internet and computer network search engines; graphic design services; software as a service (SAAS) services featuring software for facilitating audio, video and digital content creation, subscription services and one-time purchases; creating an online community for computer users to participate in discussions, obtain feedback, form virtual communities, and engage in social networking; software maintenance, installation and update services; providing temporary use of non-downloadable analytics software, namely, software that provides statistics about the behavior of viewers of online advertising, videos, movies, music, pictures, images, text, photos, games, and other content; software as a service that allows gamers to live broadcast their games from a gaming console, or to watch games being played by others

Respectfully submitted,  
/James F. Struthers/  
03/03/2016

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